

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA

2018 MAY 17 P 4:40

COUNTERCLAIM / CROSS COMPLAINT
CIVIL COMPLAINT

CLERK US DISTRICT COURT
ALEXANDRIA, VA

The Culture of the FBI, DOJ, Government & Elected Officials is to COVER UP For EACH OTHER
DEMAND FOR A JURY TRIAL

JANICE WOLK GRENADIER

Vs.

JUDGE HENRY E. HUDSON

PRESIDENT DONALD J. TRUMP (TRUMP)

DEPARTMENT of JUSTICE aka
ATTORNEY GENERAL JEFF SESSIONS (DOJ)¹

FEDERAL BUEARU of INVESTIGATION aka
CHRISTOPHER WRAY (FBI)²

VIRGINIA STATE BAR (VSB)³

JOHN and or Jane DOE 1-50

CASE NO. 1:18-CV- 571

Virginia and the United States Constitutional Rights

Federal Constitutional rights under
Title 42 U.S Code §1981 & 1983,
Title 18 U.S. Code § 241 § 242,

Rico and Racketeer Influenced and
Corrupt Organization Act 18 U.S.C § 1961 – 1968

Bill of Rights the 4 Freedoms: speech, worship,
want, freedom of fear, Freedom of Speech

Obstruction of Justice by DOJ, FBI & many Judges

SUPPLEMENT Counter Claim Cross Complaint filed May 10, 2018

42 U.S. Code § 1983 - Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia

¹ Responsible for the Criminal Activity of: Sarah Isgur Flores, Donald Kempf, Andrew Finch, Joseph Guzinski, Trustee THOMAS P. GORMAN, Chief Judge Honorable Rebecca Beach Smith USDC of Eastern Division of Virginia Judge Leonie M. Brinkema, Judge Gerald Bruce Lee, Judge Liam O'Grady, Judge Anthony J. Trenga, Senior Judge James C. Cacheris, Senior Judge Claude M. Hilton, Senior Judge T.S. Ellis, III, Magistrate Judge Theresa C. Buchanan, Magistrate Judge John F. Anderson, Magistrate Judge Ivan D. Davis, Magistrate Judge Michael Nachmanoff, Magistrate Judge T. Rawles Jones, Jr. USDC of the Eastern Division of Virginia (Alexandria) Chief Judge Roger L. Gregory, Judge J. Harvie Wilkinson III, Judge Paul V. Niemeyer, Judge Diana Gribbon Motz, Judge William B. Traxler, Jr. Judge Robert B. King, Judge Dennis W. Shedd, Judge Allyson K. Duncan, Judge G. Steven Agee, Judge Barbara Milano Keenan, Judge James A. Wynn, Jr. Judge Albert Diaz, Judge Henry F. Floyd, Judge Stephanie D. Thacker, Judge Pamela A. Harris, Senior Judge Clyde H. Hamilton, Senior Judge Andre M. Davis Fourth Circuit Court of Appeals Chief Judge Beryl A. Howell, District Judge Emmet G. Sullivan, District Judge James E. Boasberg, District Judge Amy Berman Jackson, District Judge Rudolph Contreras, Senior Judge Royce C. Lamberth, Senior Judge Ellen S. Huvelle, Senior Judge Reggie B. Walton, Senior Judge Richard J. Leon, Senior Judge Rosemary M. Collyer USDC of the District of Columbia Chief Judge: MERRICK B. GARLAND United States Court of Appeals District of Columbia Circuit Judge Brian Kenney, Judge Stephen Mitchell US Bankruptcy Court for the Eastern District of Virginia (Alexandria)

² Responsible for the Criminal Activity of: Marcus Wilson

³ Responsible for the Criminal Activity of: James McCauley (FB Conv Exhibit 20), Seth M. Guggenheim, Barbara Saunders, DaVida Davis, Karen A. Gould, Renu Brennan, James C. Bodie, Kathryn R. Montgomery, Randy E. Webne, Edward L. Davis, Elizabeth K. Shoenfeld, John A.C. Keith, Yvonne S. Gibney (wife of Judge Gibney) Brett M. Z. Lewis, Sandra M. Rohrstaff, Stephen A. Wannall, Divorce Lawyer Ilona Ely Grenadier Heckman, Ben DiMuro, Michael Weiser, Judge John Tran, Hillary Collyer, Andrea Mosley et al

**NO LAW with STANDING has been USED IN ORDERS only
JUDICIAL DISCRETION to COVER UP CRIMINAL ACTS and ACTIONS**

**THAT JWG claims CLASS DISCRIMINATION for being POOR, PRO SE, and BLACK BALLED by
the “OLD BOYS NETWORK”, the “HOOKERS”, the “JUDGES CLUB”**

**THAT JUDGES have VIOLATED JWG with CRIMINAL INTEND all her UNITED STATES
CONSTITUTIONAL RIGHTS and VIRGINIA CONSTITUTIONAL RIGHTS TO DUE PROCESS et al**

**That JWG INCLUDES all Documents that have been filed in the Bankruptcy Courts, the USDC of
Virginia, the Fourth Circuit, the USDC of the District of Columbia, the District of Columbia Court of
Appeals, the Supreme Court of the United States of America**

**Comes Now JWG Supplements Counter Claim – Cross Complaint / Civil Complaint with the following
information:**

1. That denying JWG legal council is in direct conflict with JWG constitutional rights and it should be investigated in Judge Henry Hudson’s show cause Case No. 1:18 – mc- 10 HEH as to why JWG was not provided council but, he hired a private prosecuting attorney for the court.
2. That Exhibit 15 which shows how the dates and acts and actions of Judge Henry Hudson coordinate and show a BIAS and Collusion to protect the “Judges Club”, the VSB, the “Hookers”, the “Old Boys Network et al. Violating JWG United States Constitutional Rights as he did in Case No. 1:17 -cv- 1106 HEH
3. That it should be noted and acknowledged that President Trump is only a party to this complaint due to his job and not that he has indirectly or directly personally done anything to harm JWG. It is his employees and or his Department of Justice et al that he has the over site of.
4. That it should be noted and acknowledged that President Trump has been targeted no different than JWG with MULLER who was set up by COMEY by all appearance.
5. That it should be noted and acknowledged that President Trump may or may not have information that JWG has that is Vitol to the safety of himself and his family.
6. That it should be noted and acknowledged that JWG has made several efforts to expose information to President Trump through his lawyers, the Capitol Police, the Secret Service, Congress, Senate, his hotels and Trump Tower to be ignored and disrespectfully be treated. To be treated as a Terrorist for trying to help instead of an American with information that is needed to keep our President safe.
7. That is should be noted and acknowledged that JWG respects and is proud that Donald J. Trump is her President and has much respect for him and his family.
8. That it should be noted and acknowledged that JWG met President Trump Election day November 2015 in New York City outside of FOX News where she had a sign that STATED “I did not get to VOTE in

2014 – I was in SOLITARY CONFINEMENT in the COA so Senator MARK WARNER could be RE-ELECTED” for exposing Corruption in the Judiciary, Government and Elected Officials.

9. That is should be noted and acknowledged that JWG believes in President Trump and his hard work and apologizes to the President that she has had to include him in this.
10. That JWG has done all she can include and not limited to having SEX with one of AG Jeff Sessions ***Deputy Assistant General with the promise of Justice.*** That the Deputy AG came up to JWG in a DC Hotel Bar and when SEX offered for JUSTICE in her desperate state she agreed.
11. That JWG knew she would only be asking for this man to do his job. He has chosen not to do his job. I do have proof of this agreement and sexual encounter.
12. That JWG on Friday May 11, 2018 asked FBI James Comey about February 2014 the FBI Website, the phone Number and Email to ensure all Corruption of the Government, the Elected Officials and the Judiciary were routed to him He denied any and all knowledge the Proof is in the articles, the FBI Website and videos on YouTube:

James Comey lied in his answer of my question. Below you see the link to the FBI website for the Public Corruption which includes the phone number and email to COVER UP by all appearance the FBI COLLUSION IN VIRGINIA <https://www.youtube.com/watch?v=KlsSkxYnTg&t=72s> same line below updated due to issues with people being able to reach the video.

You should not forget Clinton’s ties to all this and her need in choosing a VP from Virginia ie: as reported choices Gov. Terry McAuliffe, Senator Mark Warner and the chosen Senator Tim Kaine

FBI Link to website of Public Corruption for February 2014: <https://archives.fbi.gov/archives/washingtondc/press-releases/2014/fbi-announces-campaign-to-seek-public-assistance-identifying-acts-of-public-corruption>

Public Corruption — FBI - FBI.gov

<https://www.fbi.gov/investigate/public-corruption> **Public corruption** is the **FBI's** top criminal investigative priority, that includes ... Giving voters a ride to the polls;; Offering voters a stamp to mail an absentee ballot; ...

FBI — FBI Announces Campaign to Seek Public Assistance Identifying ...

<https://www.fbi.gov/.../fbi-announces-campaign-to-seek-public-assistance-identifying-...> Feb 18, 2014 - **Public corruption** hits at the heart of what a government is supposed to do—serve its people. ... Field Office has set up a Northern Virginia Public Corruption Hotline at 703-686-6225 and e-mail at NOVAPC@ic.fbi.gov. You visited this page on 5/11/18.

FBI cracking down on public corruption in Northern Va. | News ...

https://www.loudountimes.com/.../fbi...public-corruption...va/article_396fbfdd-b49c... Feb 28, 2014 - The **FBI's** Washington Field Office has set up a Northern Virginia Public Corruption Hotline, 703-686-6225, and an email account: ...

FBI Northern Virginia Public Corruption... - Victims of Judge Richard J ...

<https://www.facebook.com/VictimsOfJudgeRichardJJamborsky/.../10152242412483656> **FBI Northern Virginia Public Corruption** Hotline at 703-686-6225 and you can also e-mail them at NOVAPC@ic.fbi.gov Note that Judicial Corruption is.... ... the Washington Field Office has set up a Northern Virginia Public Corruption Hotline at ...

FBI appeals for public's help in ferreting out public corruption in ...

<https://www.washingtonpost.com/.../fbi...publics...public-corruption...virginia/.../cc7dd0...> Feb 18, 2014 - In the release, the agency called **public corruption** its "number one criminal ... **Public Corruption** Hotline at 703-686-6225 or send an e-mail to NOVAPC@ic.fbi.gov. ... corruption, D.C. **public corruption** and Northern Virginia **public corruption**. Please enter a valid email address. You might also like: Sign Up

FBI Creates Northern Virginia Corruption Tip Line - NBC4 Washington

<https://www.nbcwashington.com/.../FBI-Creates-Northern-Virginia-Corruption-Hotlin...> Feb 19, 2014 - The **FBI** announced Tuesday they have created a hotline for tips regarding **public corruption** in Northern Virginia. ... Email. Privacy policy | More Newsletters. UP NEXT. X. **FBI** Targets NOVA in ... If you have a tip, you can contact the Northern Virginia **Public Corruption** Hotline at 703-686-6225 and e-mail at ... You've visited this page 2 times. Last visit: 1/19/18

Virginia Politics: FBI seeks tips on crooked officials - Daily Press

www.dailypress.com/news/crime/dp-nws-fbi-corruption-20150330-story.html Mar 30, 2015 - **Political ethics, FBI, corruption**, Bob McDonnell, Phil Hamilton. ... The office is setting up a new toll-free telephone tip line to make it easier for its ... Federal prosecutors based their case on a series of emails between Hamilton ...

FBI announces campaign to crack down on public corruption | Crime ...

www.insidenova.com/.../fbi...public-corruption/article_dde4dcf4-9979-11e3-85d1-00... Feb 19, 2014 - The agency's Washington Field Office has set up a Northern Virginia **public corruption** hotline.

FBI agents went undercover in Florida's capital for the 'biggest ...

[https://www.usatoday.com/story/news/nation-now/2017/08/.../fbi.../566090001/](http://www.usatoday.com/story/news/nation-now/2017/08/.../fbi.../566090001/) Aug 14, 2017 - McLean, Virginia ... CONNECTTWEETLINKEDIN 34 COMMENTEMAILMORE ... **Public corruption** is the **FBI**'s chief criminal investigative priority and is something it ... The duo set up the meeting at the Power Plant Café - where ...

Case before U.S. Supreme Court could affect Allentown FBI probe ...

www.mccall.com/.../mc-allentown-fbi-supreme-court-political-corruption-20160512-st... May 16, 2016 - How a case in Virginia could affect the Allentown **corruption** probe. ... saying if a **public official** makes a phone call to set up a meeting or gives an ... Koval admitted taking several official acts, including sending emails in an

Jim Comey had to know what I was talking about. The set up was very well known and publicized.

I have been asked how I know that he knew or should have known about the 2014 announcement and the email and the phone number:

- Comey came to Virginia from the Southern District of NYC where he worked with Loretta Lynch.
- His connections in Virginia go deep with Gov. Terry McAuliffe and Tim Kaine - Senator Mark Warner would have been introduced to him through these two.
- The Old Boys Network in Virginia - appearance is the Judiciary base is the Richmond School of law.
- James Comey and Gov. Tim Kaine from the information I have found were adjunct professors at the same time or around the same time
- Tim Kaine was also Gov. to Virginia - Clinton's VP choice

- James Comey as FBI Director was given several accolades at the Richmond School of Law while FBI Director.
- James Comey et al my all appearance started this program through his good friend who recently retired from the FBI Special Agent Gallagher (I have articles - taped conversations and a FOIA out for some of this information)
- McCabe who was under Comey remember McAuliffe gave his wife \$700,000 FYI
<https://www.youtube.com/watch?v=NBXNNCrdsI>
- McAuliffe was the one Hillary really wanted as her VP - 2nd was Mark Warner and third was Tim Kaine FYI
<https://www.youtube.com/watch?v=wEEbTrlnXRU> wouldn't let me tape him
- McAuliffe took a \$130,000 donation and lied about it from a Chinese guy, Now he is being sued by 32 Chinese Nationalists that he took \$500,000 from each one - guaranteeing green cards for the families
<https://www.youtube.com/watch?v=kQ1hRnaxvRc> in this video you see me meeting McAuliffe and talking with him about my issue and showing him the box of unopened evidence returned to me.
- Warner traded a federal Judgeship - right before I was jailed to be silenced -
<https://www.youtube.com/watch?v=O10opcNIqNA> this was the 3rd time I had approached Warner on being jailed so he could be re-elected by silencing me. JWG illegally spent 22 days in jail, with 14 of those days in Solitary Confinement.
- <https://youtu.be/NBXNNCrdsI> The Federal Society on May 17, 2017 Question about Comey and the Trust of the American People. Talking about Andrew McCabe and why he should not be the next FBI director to further Cover Up information on criminal Acts and Actions of the Judiciary, the Government and the Elected Officials

Some other back up:

- One other Video I did on my jail time <https://youtu.be/rRs7cBEYAjQ>
- I am going to work on putting this together better - again THANK you for taking the time to reach out to me and make the suggestions.
- My story can be found at www.VALaw2010.blogspot.com I am not a writer so when you read it understand that.
- Exhibit 22 the outline that shows the COVER UP of many crimes the City of Alexandria and the FBI worked on together ie: MURDER FOR HIRE and the Congressional shootings.

13. That on Tuesday May 16, 2017 JWG learned this would be made into its separate case, but, that all should be reminded they have lost immunity due to the acts and actions were outside the scope of their job and were done with gross negligence with the intend to harm JWG and many other people such as President Donald J. Trump and his family.

WHY THIS SHOULD NOT BE DISMISSED ON IMMUNITY BY DEFENDANTS

14. Absolute Judicial immunity is a myth. A Judge does not have absolute immunity. Judicial immunity does not apply when the following conditions exist: 1. *when he is performing a non-judicial act, or* 2. *when he acts in the complete absence of all jurisdictions.*
15. IN **Hirschfeld v. Rogers** Is a state court judge, who has been individually divested of all jurisdiction over a case by virtue of being affirmatively disqualified, who refuses to acknowledge his own divestment, and thereafter commits unconstitutional torts solely under color of the case in which he knows, or should know, that he has lost all jurisdiction, subject to 42 U.S.C. 1981-88 liability
16. In the case of **Ulrich v. Butler** case # 09-7660 (https://scholar.google.com/scholar_case?case=8390429132655713815&hl=en&as_sdt=6&as_vis=1&oi=scholarr), was a civil case attempting to hold the Court to limits as defined by Constitutional and Statutory Law. Here is the US Supreme Court decision: (https://scholar.google.com/scholar_case?case=3627755554146942943&hl=en&as_sdt=6&as_vis=1&oi=scholarr). Here are the details; fasten your seat belt:
 - *In the Eleventh Judicial District of Illinois, Woodford County, in a civil case, an individual's civil and constitutional rights were denied as the third judge in the case (first two Judges were recused after review by the Judicial Review Board) did deny multiple requests to have all proceedings recorded, did state that no motions or petitions as filed by the individual would be heard, did illegally incarcerate the individual without regard to Habeas Corpus, did knowingly ignore Illinois state statutes, and not only violated due process of Law, but denied equal protection under the law. Failure to obtain substantial Justice in state courts lead to suits being filed in Federal Court under Title 42 United States Code standard 1983. This suit asks for Relief of all orders made in violation of the Law, that Due Process of Law be allowed, and further issue relief as the court deems appropriate.*
 - *The Federal District Judge in the Case stated that although the Court does not know the details of the case that a Judge performing Judicial Functions enjoys absolute immunity and further stated that a Jury would not be allowed in the case. The appellate court without allowing a brief supported this order. While a Judge performing Judicial functions may enjoy Immunity, denial of constitutional and civil rights are absolutely not a judicial function and conflicts with any definition of a Judicial function.*
 - *Response to denials was Motions to reinstate using the Constitutional Articles as a major Guide, along with the Judges Oath of Office, and canons of Judicial Code of Conduct. The responses also included page after page of case law where both appellate courts and the Supreme Court did hold judges accountable when their knowing and willing actions fell outside the boundaries of their job description. That failure to follow simple guidelines of their post makes a judge's action no longer a Judicial act but an Individual acts as the act represents their own prejudices and goals. Case Law also states that when a judge acts as a trespasser of the law, when a judge does not follow the law, he then loses subject matter jurisdiction and the Judges orders are void, of no legal force or affect.*
 - *In a limited government, a government limited by the constitution, the violation of citizen's rights should never be justified due to the overriding government goals or objectives, and that no branch of the government is allowed to extend its power beyond its legal limits. The above*

issues are one of the outstanding reasons why the framers of the constitution installed Trial by Jury as the Seventh Amendment. In a government of the people is it not a threat to our way of life to allow Government actors to ignore the guidelines that define their power.

17. The Government: An employer is liable for unauthorized acts if they are done in conjunction with other acts which are within the scope of the employee's duties, citing *Smith v. Leber*, 34 Wn.2d 611, 623 (1949) and *Dickinson v. Edwards*, 105 Wn.2d 457 (1986).

- *All local governmental entities⁴ whether acting in a governmental or proprietary capacity, shall be liable for damages arising out of their tortious conduct, or the tortious conduct of their past or present officers, employees, or volunteers while performing or in good faith purporting to perform their official duties, to the same extent as if they were a private person or corporation. Filing a claim for damages within the time allowed by law shall be a condition precedent to the commencement of any action claiming damages. The laws specifying the content for such claims shall be liberally construed so that substantial compliance therewith will be deemed satisfactory.*
- **Federal Tort Claims Act:** *"When is government officer or employee acting within the scope of his office or employment for purposes of determining government liability under 28 USC, section 1333 (b), 6ALR FED 373? The federal government, by its consent, is stripped of all immunities with regard to negligent or wrongful acts or omissions by government employees. Still, one cannot maintain an action for intentional torts, strict liability, or discretionary acts by government agents. ("Discretionary" acts have been defined by the cases to mean administrative decisions at the "planning level as opposed to those at the "operational" level.*
- *Case law HAS held that judges are accountable. See *Com. v. Ellis*, 429 Mass. 362, 371 (1999), where the Supreme Judicial Court of Massachusetts recognized that "Article 5 . . . provides that officers of government 'are at all times accountable to [the people]'*
- *Two cases to look at: *Hafer v. Melo*, 112 S.Ct. 358(1991). U.S. Supreme Court held that state officials (including judges) can be sued in their personal capacity. But you have to prove they violated your rights by violating their oaths of office and "stepped down off the bench," as some other private entity, in doing so.*
- *Then see *Sevier v. Turner*, 742 F.2d 262 (6th Cir. 1984) where judges were found liable for civil rights damages for initiating both civil and criminal contempt proceedings against fathers in child support proceedings which constituted non-judicial acts because, pursuant to a contract with the county (all judges and counties have child support enforcement contracts with state and feds) judges were responsible for collecting overdue child support and directed hearing officers to initiate criminal prosecutions against fathers and then later civil contempt proceedings in which fathers who were not current in their payments were incarcerated or made purge payments out of which judges and hearing officers received part of their salaries (and/or pensions--my note).*
- *Judges collecting support to supplement their incomes and pensions, are not acting in a judicial capacity (acting in ministerial capacity) and have no immunity whatsoever*
- **FALSE ARREST: MENTAL DISTRESS: SETTLEMENT.** *Jackson v. Harrah 's, U.S. District Court, D. Nev., No. R-82-98 ECR, Oct. 26, 1984.*
- **s1983: MALICIOUS,PROSECUTION: FALSE ARREST AND IMPRISONMENT: INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS: SETTLEMENT.** *Lucas v. Township of Jefferson,*

⁴ "local governmental entity" means a county, city, town, special district, municipal corporation, or quasi-municipal corporation

U.S. District Court, D.N.J., No. 82-4242, June 11, 1984. \$55,000 settlement for a man who was accused of sexual assault and incarcerated for 28 days although the evidence brought in a conviction only for simple assault.

18. GOVERNMENTAL LIABILITY: s1983: MUNICIPAL LIABILITY: FAILURE TO PROVIDE MEDICAL ATTENTION TO JAILED DETAINEE: WRONGFUL DEATH: STRUCTURED SETTLEMENT. Carter v. City of Flint, U.S. District Court, E.D. Mich., No. 81-40016, Apr. 30, 1984. Structured settlement with a present cash value of \$750,000 for wrongful death.

- **MALICIOUS PROSECUTION -- COMPENSATORY AND PUNITIVE DAMAGES.** *Kalomiris v. Bykash, N.Y., Nassau County Supreme Court, No. 9460/76, June 7, 1984. Bench verdict of \$60,000 compensatory and \$1million punitive damages against defendant*
- **ILLINOIS IMMUNITY CASE CITE:** *Yates v. Village of Hoffman Estates, Illinois, 209 F.Supp. 757 (N.D. Ill. > 1962) "not every action by a judge is in exercise of his judicial function. ... it is not a judicial function for a judge to commit an intentional tort even though the tort occurs in the courthouse." Cf. Vickrey v. Dunivan, 1955, 59 N.M. 90, 279 P.2d 853*

19. FACTS: A judge who, in his official capacity, violates the United States Constitution by selling a judicial opinion should be liable to the injured party in a civil action for damages

- a. Selling a judicial opinion violates the Constitution. The Constitution provides a right to justice: Right to justice ... Every person ought to obtain right and justice freely, and without purchase or sex, completely and without denial; promptly and without delay; conformably to the laws. Every State and Federal judge who has construed the "right to justice" provision the Constitution has agreed that, at a minimum, it guarantees every person in this country a right to obtain justice freely, and without purchase.
- b. The right to justice derives from Magna Charta. In 1215 A.D. civilization established its first constitutional form of government. In the Great Charter a fundamental legal principle was established: "nulli vendemus, nulli negabimus, aut differemus rectum aut justiciam," there shall be right and justice without sale, denial or delay. Mag. Char. Joh. chapt. 40 (1215); Mag. Char. Hen.3, chapt. 29 (1225). This principle is widely incorporated into the declaration of rights provisions of state constitutions. Alabama Const. Art 1, § 13; Arkansas Const. Art. 2, § 13; Colorado Const. Art. 2, § 6; Connecticut Const. Art. 1, § 10; Delaware Const. Art. 1, § 9; Idaho Const. Art. 1, § 18; Illinois Const. Art. 1, § 12; Indiana Const. Art. 1, § 12; Kansas Const., Bill of Rights, § 18; Kentucky Const., Bill of Rights, § 14; Louisiana Const. Art. 1, § 22; Maine Const. Art. 1, § 19; Maryland Const., Declaration of Rights, § 19; Massachusetts Const., Declaration of Rights, § 11; Minnesota Const. Art. 1, § 8; Mississippi Const. Art. 3, § 24; Missouri Const. Art. 1, § 14; Montana Const. Art. 2, § 16; Nebraska Const. Art. 1, § 13; New Hampshire Const. Art. 1, § 14; North Carolina Const. Art. 1, § 18; Ohio Const. Art. 1, § 16; Oklahoma Const. Art. 2, § 6; Oregon Const. Art. 1, § 10; Pennsylvania Const. Art. 1, § 11; South Dakota Const. Art. 6, § 20; Tennessee Const. Art. 1, § 17; Texas Const. Art. 1 § 17; Utah Const. Art. 1, § 11; Vermont Const. Art. 1, § 4; West Virginia Const. Art. 3, § 17; Wisconsin Const. Art. 1, § 9; Wyoming Const. Art. 1, § 8.

- c. That the United States Constitution, declared certain rights that could not be "abridged or violated" and declared their "impression" that said rights were "consistent with the Constitution." Among the rights declared was the following: *"That every freeman ought to obtain right and justice, freely and without sale, completely and without denial, promptly and without delay; and that all establishments or regulations contravening these rights are oppressive and unjust."* 1 Eliot's Debates 334-37, Debates in the Several State Conventions on the Adoption of the Federal Constitution (J. Eliot ed. 1836), Volume 1 at 334-37. Therefore, as early as 1790 it had been declared that every freeman enjoyed the right to justice without sale, and that all laws contravening this right were oppressive and unjust.
- d. The United States Constitution on, inter alia, this understanding. As such, the right to justice without sale appears to be one of the "other rights" retained by the people and is affirmatively protected by the Ninth Amendment to the United States Constitution. If so, the federal government is without power to contravene this right.
 - i. In *Perce v. Hallett*, 13 R.I. 365 (1881). In that case Durfee, C.J. upheld a dismissal of an action for nonpayment of the entry fee prescribed by statute. Chief Justice Durfee described the purpose of this provision in chapter 40 of the Magna Charta: "The better opinion is that it was designed to abolish, not fixed fees, prescribed for the purpose of revenue, but fines which were anciently paid to expedite or delay law proceedings and procure favor. See Thompson's Essay on the Magna Charta, p.230. The character of those fines is copiously exemplified by Madox in the twelfth chapter of his History of the Exchequer. **They appear to have been arbitrary exactions, often outrageously oppressive.** Madox concludes his twelfth chapter with the following language: 'Some men used to pay fines to have to obtain justice or right; others, to have their right or their legal proceedings or judgment speeded; others, for stopping or delaying the proceedings at law; and others were obliged to pay great and excessive fines (viz., a fourth part, a third part, or half of the debt sued for) to obtain justice and right, according to their several cases, so that the king seemed to sell justice and right to some and delay or deny it to others. *Against these mischiefs a remedy was provided by a clause in the great charters of liberties, made by King John and King Henry III. That clause in each of those charters runs in the same or consonant words, which are these: Nulli vendemus, nulli negabimus, aut differemus rectum aut justiciam.*' Mag. Char. Joh. 40; Char. Hen. III. 33 (sic.)" *Perce v. Hallett*, supra, 13 R.I. at 365.
- e. After reviewing the historical purpose of this provision, Perce analyzed legislative practice and held: "[W]e think the legitimate conclusion is, that the declaration of the Constitution was intended to prohibit ... gratuities, or exactions, given or demanded for the direct purpose of influencing the course of legal proceedings." *Id.* at 365.
- f. The Constitution is to prohibit gratuities or exactions given or demanded for the direct purpose of influencing the course of legal proceedings. *It has been so held in cases regarding the right of poor litigants to proceed in forma pauperis.* Littlefield v. Peckham, 1 R.I. 500 (1851); Hudson v. Geary, 4 R.I. 485 (1857); Conley v. Woonsocket Inst. for Sav., 11 R.I. 147 (1874) ("To require security for costs is not a purchasing of justice"); Spalding v. Bainbridge, 12 R.I. 244 (1878); *Perce v. Hallett*, 41 R.I. at 365 (1881) ("[T]he declaration of the Constitution was intended to prohibit... gratuities,

- g. This court with a Jury Trial should acknowledge that the constitution was violated, it never balanced the plaintiff's claim to justice without purchase against the defendant's claim of judicial immunity.
- h. **The right to justice without purchase is enforceable by a civil action for damages.** It is law that even without a statute authorizing a private right of action, a private right of action may arise directly from acts violating a fundamental right secured by a constitution. *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388, 29 L.Ed.2d 619, 91 S.Ct.1999 (1971). *Bivens* held that a violation of the **Fourth Amendment** by federal agents acting under color of their authority gave rise to a private right of action for money damages: "The question is merely whether petitioner, if he can demonstrate an injury consequent upon the violation by federal agents of his Fourth Amendment rights, is entitled to redress his injury through a particular remedial mechanism normally available in the federal courts. Cf. *J.I. Case Co. v. Borak*, 377 U.S. 426, 433 (1964); *Jacobs v. United States*, 290 U.S. 13, 16 (1933). 'The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws whenever he receives an injury.' *Marbury v. Madison*, 1 Cranch 137, 163 (1803). Having concluded that petitioner's complaint states a cause of action under the Fourth Amendment, we hold that petitioner is entitled to recover money damages for any injuries he has suffered as a result of the agents' violation of the Amendment." 403 U.S. at 397.4 According to the United State Supreme Court, from Chief Justice Marshal in 1803 through *Bivens*, in 1971 to deny an individual a remedy consequent upon a violation of his constitutional rights would be to deny that individual "the very 8/29/2017 Brief On Judicial Immunity essence of civil liberty." 403 U.S. at 397.
- i. However, the Constitutional provision is self-executing. *Bandoni v. State*, 715 A.2d 580 (R.I. 1998). In *Bandoni* this Court adopted the standard enunciated by the United States Supreme Court in *Davis v. Burke*, 179 U.S. 399, 403, 21 S.Ct. 210, 212, 45 L.Ed. 249, 251 (1900): does the constitutional provision supply "a sufficient rule by means of which the right given may be enjoyed and protected, or the duty imposed enforced * * * [or does] it merely indicate[] principles, without laying down rules by which those principles may be given the force of law." *Bandoni v. State*, 715 A.2d at 587 citing *Davis*, 179 U.S. 399, 403, 21 S.Ct. 210, 212, 45 L.Ed. 249, 251 (1900).
- j. *Bandoni* further held that the standards enunciated by the Vermont Supreme Court in *Shields v. Gerhart*, 658 A.2d 924, 928 were helpful as guidelines in analyzing whether a constitutional provision was self-executing: [F]irst, a self-executing provision should do more than express only general principles; it may describe the right in detail, including the means for its enjoyment and protection. * * * [S]econd, ordinarily a self-executing provision does not contain a directive to the legislature for further action. * * * [T]hird, the legislative history may be particularly informative as to the provision's intended operation. * * * [F]inally, a decision for or against self-execution must harmonize with the scheme of rights established in the constitution as a whole." *Shields*, 658 A.2d at 928 (citing *Convention Center Referendum Committee v. Board of Elections and Ethics*, 399 A.2d 550, 552 (D.C. Ct. App.1979)). (Emphasis added). *Bandoni v. State*, 715 A.2d at 587 (R.I. 1998). a. The First Criterion i. The right to justice without purchase is described in detail. *Bandoni*'s first criterion is: "a self-executing provision should do more than express only general principles; it may enjoyment and protection. As has earlier been shown

in the opinion of Chief Judge Durfee in *Perce* there is a Constitutional right to justice without purchase. This is not an abstract right, or a right based upon general principles.

- k. The Constitution protects citizens from having to pay state officials for justice, just as surely as the Fourth Amendment to United States Constitution protects citizens from unauthorized searches and seizures. Moreover, Sherman's right not to have a judge take a portion of the money a jury awarded him, is as clear and as fundamental as *Bivens*' right not to have FBI agents search his home without a warrant.
- l. The right to justice without purchase is a "concrete" right. Indeed, the trial court holds that right to justice without purchase is a clear mandate: "[the language clearly mandates that every person should be able to procure justice without purchase – a fundamental principle of our judicial system with which, obviously, there can be no quarrel.]"
- m. **A person denied his right to justice without purchase ought to have a remedy.** To be self-executing, not only must there be an actual right in issue, but the Constitutional provision should provide the means for its enforcement and enjoyment. The Court, in *Bandoni*, analyzed whether the framers of the victims' rights amendment expressly provided a cause of action for damages.
- n. **In *Bandoni* the Court concluded that the deletion of a sentence expressly providing that crime victims "shall have recourse in the laws" and the insertion in its place of the clause "such other compensation as the state may provide" was the substantive amendment that proved that the framers of the victims' rights amendment had considered a private right of action as an enforcement mechanism and that the Committee on Style and Drafting had specifically rejected it.**
- o. Unlike the interpreted in *Bandoni*, specifically provides that there shall be a remedy for wrongs suffered, and that remedy shall be by recourse to the laws. "Entitlement to remedies for injuries and wrongs ... – Every person within this state ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which may be received in one's person, property or character." This right to a remedy by recourse to the laws contained within the constitutional private right of action. 'The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws whenever he receives an injury.'
- p. *Marbury v. Madison*, 1 Cranch 137, 163 (1803). Sherman has a Constitutional right to a remedy for all injuries and wrongs committed against him by Almeida, in his official capacity, and the means provided for Sherman's enjoyment of this right is specified as by having recourse to the laws.
- q. The United States Supreme Court faced in *Bivens*. d. The Fourth Criterion As the first three criteria lead to the conclusion that is self-executing, *Bandoni* requires that this conclusion then be analyzed to determine if it "harmonize[s] with the scheme of rights established in the constitution as a whole.⁸" *Bandoni v. State*, 715 A.2d at 587 (R.I. 1998), citing, *Shields*, 658 A.2d at 928.
The Court has denied JWG her constitutional right to sue Judges et al for damages to further cover up the SCHEME of Divorce Lawyer Ilona Grenadier Heckman. The Court's view, it undermined judicial independence. JWG respectfully disagrees. JWG needs a damage claim against the Defendants in many cases to vindicate JWG's rights: there is no other meaningful remedy. In this case, a damage claim against a judge in his official capacity is also entirely appropriate because Judiciary, the Government and Elected Officials were / was actually guilty of selling a judicial opinion. In this case abrogation of judicial immunity is appropriate

because it is the conduct of Defendants, not JWG's conduct that poses the real threat to judicial independence. JWG's damage claim against a corrupt Defendants harmonizes with the scheme of rights established in the constitution as a whole, because it provides a needed remedy to vindicate an individual's constitutional rights, while too serves to promote public confidence in the judiciary by showing that the judiciary will allow no man to place himself above and beyond the remedies provided for by law. i. JWG has no other meaningful remedy.

- r. The conclusion that a right secured by our Constitution is self-executing, in itself, "would not necessarily support a claim for damages." Bandoni, 715 A.2d at 594. According to Bandoni Article 1, Section 5, only forbids the total denial of access to the courts for the adjudication of a recognized claim. See, e.g., *Kennedy v. Cumberland Engineering Co.*, 471 A.2d 195, 200 (R.I.1984)(statute requiring personal-injury claim to be commenced within ten years of the date product was first purchased, regardless of the date of injury, completely denied the plaintiff access to court). See *Figueroa v. State*, 61 Haw. 369, 604 P.2d 1198, 1206 (1979); *Brown v. State*, 89 N.Y.2d 172, 652 N.Y.S.2d 223, 674 N.E.2d 1129, 1138 (1996); *Shields*, 658 A.2d at 930.
- s. See also Jennifer Friesen, *State Constitutional Law: Litigating Individual Rights, Claims, and Defenses*, § 7.05[1], at 7-14 (1995) (court may provide injunctive or declaratory relief, as opposed to the specific remedy of damages). First, courts have held that a damage action may be a necessary and appropriate means to vindicate the right to justice without purchase provision of a state constitution. Courts construing provisions in their state constitutions similar to Article 1, Section 5 of the Rhode Island Constitution recognize that these cases frequently involve flagrant abuses of official power, and that the remedy of money damages is both necessary and appropriate to prevent fraud.
- t. An Illinois appellate court has addressed this precise issue in a case arising out of the bribery of a United States Circuit Court Judge. *Skelly Oil Company v. Universal Oil Products Company*, 338 Ill. App. 79 (1949) (Feinberg, P.J.). Defendant Universal Oil Products ["Universal"] bribed a United States Circuit Court Judge to obtain a favorable judgment in a patent infringement suit. Universal then set up the corrupt opinion and judgment as res judicata in a series of other patent infringement suits. Skelly Oil Company, one of the victims of this corrupt scheme, sued Universal for litigation costs expended in defending against Universal's claim of res judicata and for exemplary damages. In refusing to dismiss the complaint on defendant's theory that no cognizable claim was stated under law against Universal the appellate panel in Skelly Oil Company based its legal analysis on Article II, § 19 of the Illinois State Constitution of 1870, Skelly Oil Company relied on the "shocking" and "unprecedented type of fraud" to conclude that the "situation demands a remedy."
- u. The court held that the right to justice without purchase provision in its state constitution is self-executing and supports a claim for damages: The designation of the action is of no moment. If the facts, as set up in the instant complaint, disclose the unprecedented type of fraud we are dealing with, then the situation demands a remedy. The framers of the State Constitution of 1870, Article II, §19, wisely inserted this provision: **'Every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property or reputation; he ought to obtain, by law, right and justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay.**

- v. This is a clear mandate to the courts, that wherever the legislature has failed to provide a remedy the courts must. This constitutional protection should be here invoked, especially when the legislature has not provided a remedy. Courts should not be helpless to find a remedy for a fraud of the instant type.
- w. *If the statute fails to provide a remedy, the court can, as it has in many instances under the common law and equitable principles. In the cases of fraud and deceit the remedy is generally provided for by the courts, not by statute.* It is perfectly clear that the Constitution had not in mind only remedies created by legislative enactment..." Id., at 84-85. In allowing plaintiff to proceed with its damage action, Skelly also held that: "courts of justice had better be abolished if they can afford no redress in such situations." Id., at 92 citing *Spaids v. Barrett*, 57 Ill. 289. Similarly, a North Carolina appellate court, interpreting the "right to justice" provision of that state's constitution, Article 1, Section 18, held that a person who commits an act of embracery is liable to the one damaged thereby. *Employers Ins. of Wausau v. Hall*, 270 S.E.2d 617 (1980), cert. denied, 276 S.E.2d 283 (1981). An attorney, who was representing a plaintiff in a tort claim against a hospital, personally contacted and attempted to influence her verdict. Thereafter, the attorney pled guilty to the common law felony of embracery and was sentenced to prison. His law license was subsequently suspended. The insurance company which paid for the hospital's defense in the tort claim brought suit against the attorney to recover its costs.
- x. The Court found that this constitutional provision provided a money damages remedy to one harmed by embracery. **Fraud upon litigants, upon the Courts and upon the Constitution are matters serious enough that both equitable and legal remedies may be necessary and proper.** In *Matter of Almeida*, 611 A.2d 1375 (R.I. 1992) *the Court found it necessary and appropriate to analyze a broad array of remedies to vindicate the public's interest when Defendants committed a fraud upon our Courts. Both equitable and legal remedies should be considered because the offense of selling justice undermines the constitutional basis of judicial power:* "It is our clear duty, however, to ensure that no judge attempts to put himself above the law. Judicial power has its limits. A judge who transcends those limits strikes at the vitality of the very constitution under which he holds his judicial office." *In re Benoit*, 487 A.2d at 1162." *Matter of Almeida*, 611 A.2d at 1382.
- y. Similarly, a broad array of remedies should be available to a litigant when a Judge has committed fraud upon the litigant by exacting money from his jury award. Regarding violations of Article 1, Section 5 the Superior Court said: "Obviously, the aggrieved person should be able to set aside any judgment or order obtained by the unauthorized purchase or sale of justice, on appeal or otherwise. See *Bradley v. Fisher*, 80 U.S. 646, 651 (1872)." That is precisely true and it is what JWG has attempted to do. Upon learning of Defendants many corrupt decisions.
- z. *The Estate of Sherman v. Almeida* 610 A.2d 104 (1992); See also, *Hazel-Atlas Glass Co. v. Hartford Empire Co.*, 322 US 238, 64 S Ct 997, 88 L Ed 1250 (1944) reh den 322 US 772, 64 S Ct 1281, 88 L Ed 1596 (1944). **Fraud, once disclosed,** "demands the exercise of the historic power of equity to set aside fraudulently begotten judgments."⁹ *Hazel-Atlas Glass Co.*, 322 U.S. at 245. But, the fact that JWG may have an equitable remedy should not exclude a damage remedy against Defendants for the violation of his constitutional right to justice without purchase.

- aa. Moreover, in this particular bribery situation, the equitable relief afforded through setting aside the judgment is inadequate because the bribe was paid through Friendship, Breakfast, lunch, dinner, weekend getaways, sex, membership to the Judges Club, the Hookers et al using money belonging to the victim of the bribery scheme through Divorce Lawyer Ilona Grenadier Heckman et al. Equitable relief is inadequate because it will not help JWG get back from Divorce Lawyer Ilona Grenadier Heckman Judge the money exacted from JWG and her girls.
- bb. JWG's claim against Defendants is like Bivens' claim against the unknown named agents of the Federal Bureau of Narcotics: "[i]t is apparent that damages in some form are the only possible remedy for someone in Bivens' alleged position." Bivens, *supra*, 403 U.S. at 409-10 (Harlan, J. concurring) *JWG finds a remedy against non-judicial actors should not exclude the possibility of a remedy against judicial actors.* It is imperative that anyone who commits a fraud upon our courts by selling justice, whether the wrongdoer is a litigant, an attorney, a juror, or a judge, be accountable to the injured party in damages.
- cc. Moreover, the plain language that when justice is sold a person ought to find a remedy for all injuries and wrongs he / she suffers as a result of this violation of constitutional rights, and not just for injuries and wrongs committed by "non-judicial actors."
- dd. The Defendants acts violative of these high ethical standards when serving as a justice of the Court, abusing the position as a judge and betraying the confidence of both the public and the profession by acting unethically in the interest of personal gain. The acts committed by Defendants are grave indeed and integrally intertwined with their judicial role.
- ee. These offenses, abusive of his position, were not single or isolated but rather continued on a regular basis until. (emphasis supplied). Matter of Almeida, 611 A.2d at 26. Almeida was corrupt in his judicial capacity: "By his judicial misconduct, petitioner has breached the public trust by committing acts violative of his honored position as a respected jurist. His actions motivated by the desire for personal gain have operated to harm public trust and confidence in the Judiciary as a whole and to affect adversely the honor and integrity of the very position he held and the capacity in which he served. (emphasis supplied). *Id.* at 27.
- ff. The defendants are properly sued in the "capacity in which they served," citing *Pulliam v. Allen*, 466 U.S. 522, 104 S.Ct. 1970 (1984) states that injunctive relief might be available against defendants.
- gg. There was no realistic possibility that JWG could seek an injunction against Defendants because corrupt acts were done in secret in Judges Chambers with no open court hearings.
- hh. As Mr. Justice Harlan said regarding Bivens: "It would be a rare case indeed in which an individual in Bivens' situation will be able to obviate the harm by securing injunctive relief from any court." Bivens, *supra*, 403 U.S. at 410 (Harlan, J., concurring).
- ii. Moreover, requests for injunctive relief against judges must be strictly scrutinized, as injunctions against judges undermine judicial independence as surely as do damage awards. See Joseph R. Weisberger, *The Twilight of Judicial Independence - Pulliam v. Allen*, 19 Suffolk U. L. REV. 537 (1985). that Defendants may have criminal responsibility or liability under the victims' indemnity fund. First, the right to justice without purchase established in Article 1, Section 5 is not a criminal statute, it is a constitutional right of the people. The remedy of removal or suspension of a judge is not an individual right for which there is a private cause of action.

- jj. The remedy of removal or suspension is used for judges who violate the Canons of Judicial Ethics or who commit crimes, and this remedy is not a part of enforcing an individual's constitutional right to justice without purchase. In fact, the disciplinary proceedings against Defendants in the Commission on Judicial Tenure and do not provide JWG with a remedy for the wrong Defendants have committed against JWG.
- kk. "i Judicial immunity preserves judicial independence, and judicial independence must be guarded jealously. ii Judicial immunity is a common law defense available to a judge acting in his official capacity. Mireles v. Waco, 502 U.S. 9, 116 L.Ed 2d 9, 112 S.Ct 286 (1991); Forrester v. White, 484 U.S. 219, 98 L.Ed 2d 555, 108 S.Ct 538 (1988); Dennis v. Sparks, 449 U.S. 24, 66 L.Ed 2d 185, 101 S.Ct 183 (1980); Stump v. Sparkman, 435 U.S. 349, 55 L.Ed 2d 331, 98 S.Ct 1099 (1978); Pierson v. Ray, 386 U.S. 547, 18 L.Ed 2d 288, 87 S.Ct 1213 (1967). Not only is the doctrine of judicial immunity law in Rhode Island, Calhoun v. City of Providence, 390 A.2d 350 (R.I. 1978); Cok v. Constantino, 876 F.2d 1 (1st Cir. 1989); Hurley v. Fuyat, WL 930891 (R.I.Super. 1994), but it has recently been stated that the "concept of judicial ... immunity remains alive and well." Bandoni, *supra*, 715 A.2d at 595.
- ll. The doctrine: "As the U.S. Supreme Court observed in *Pierson v. Ray*, when speaking of judicial immunity, 'the immunity is not for the benefit of a malicious or corrupt judge, but for the benefit of the public, whose interest it is that the judges should be at liberty to exercise their functions with independence and without fear of consequences. It is the judges duty to decide all cases within his jurisdiction that are brought before him, including controversial cases that arouse the most intense feelings in the litigants. His errors may be corrected on appeal, but he should not have to fear that unsatisfied litigants may hound him with litigation charging malice or corruption. Imposing such a burden on judges would contribute not to fearless decision making but to intimidation.' 386 U.S. 547, 554. Such judicial independence is FORCED on the American People today. With Judges creating a Smoke and Mirrors of Judicial Immunity.
- mm. The judge the severest labor, and often create in his mind a painful sense of responsibility. Yet it is precisely in this class of cases that the losing party feels most keenly the decision against him, and most readily accepts anything but the soundness of the decision in explanation of the actions of the judge. Just in proportion to the strength of his convictions of the correctness of his own view of the case is he apt to complain of the judgment against him, and from complaints of the judgment to pass to the ascription of improper motives to the judge ... If civil actions could be maintained in such cases against the judge, because the losing party should see fit to allege in his complaint that the acts of the judge were done with partiality, or maliciously, or corruptly, the protection essential to judicial independence would be entirely swept away. Few persons sufficiently irritated to institute an action against a judge for his judicial acts would hesitate to ascribe any character to the acts which would be essential to the maintenance of the action. Justice Field further stated that if a judge could be compelled to answer in a civil action for his judicial acts his office would be degraded and his usefulness destroyed.
- nn. Joseph R. Weisberger, The Twilight of Judicial Independence - *Pulliam v. Allen*, 19 Suffolk U. L. REV. at 541-542. It is for these compelling reasons that the right to justice without purchase secured by Article 1, Section 5 may be said to conflict with the doctrine of judicial immunity. Accordingly, a lawsuit for damages brought by a litigant against a judge under Article 1, Section

5 is, generally, not appropriate because it wrongfully undermines judicial independence, and in such cases judicial immunity should act as a complete bar. **But**, what if a Judge stands up in the courtroom, pulls out a firearm, and demands a litigant to turn over the cash in his wallet? Would the Court say that such a judge is protected by the doctrine of judicial immunity from a civil action seeking to recover the cash stolen from the wallet? In reality, Defendants' act of exacting money and justice from JWG no different.

- oo. Indeed, the amounts stolen from the plaintiff were far greater than if JWG were robbed of her wallet. When it is possible in practice to confine the abrogation of judicial immunity to a complaint against a judge who was actually guilty of bribery, it is monstrous to deny recovery.
- pp. Sherman respectfully submits that a proper decision should balance the worth of Defendant's judicial immunity defense against the worth of the constitutional right in issue. In this balancing process the court should determine whether the doctrine of judicial immunity should be applied, and whether the doctrine could be tailored as the facts and natural equities of this particular case demand. *Kintz v. Harriger*, 99 Ohio St. 240, 124 N.E. 168, 12 A.L.R. 1240 (1919) (abrogating common law immunity granted individuals testifying before grand juries with respect to an individual actually guilty of perjury).
- qq. When the immunity involves the independence of a state official in the conduct of his official duties, when balancing the harms, it has been thought in the end better to leave unredressed the **wrongs done by dishonest officers** than to subject those who do try to do their duty to the constant dread of retaliation. But, this is only so because in most cases it is not possible in practice to confine such complaints to the guilty.
- rr. Then Chief Judge of the Second Circuit, Learned Hand in *Gregoire v. Biddle*, 177 F.2d 579 (2nd Cir.1949), states the rule: It does indeed go without saying that an official, who is in fact guilty of using his powers ... for any ... personal motive not connected with the public good, should not escape liability for the injuries he may so cause; and if it were possible in practice to confine such complaints to the guilty, it would be monstrous to deny recovery. The justification for doing so is that it is impossible to know whether the claim is well founded until the case has been tried, and that to submit all officials, the innocent as well as the guilty, to the burden of a trial and to the inevitable danger of its outcome, would dampen the ardor of all but the most resolute, or the most irresponsible, in the unflinching discharge of their duties. *Gregoire*, 177 F.2d at 581.
- ss. According to Chief Judge Hand immunity should only be abrogated when it is possible in practice to confine such complaints to the guilty. "Many of the compelling reasons for judicial immunity become significantly less compelling subsequent to a judge's removal from office, indictment and criminal conviction
- tt. That JWG brought the suit against the Judge's and Judge Claude Hilton immediately recused himself and admitted to a Bias in 3 cases shows the Plaintiff JWG is not bringing Malicious suits but, looking for justice, prosecution lawsuits are contingent on proof that the criminal proceeding terminated in plaintiff's favor. *Soares v. Ann & Hope of Rhode Island, Inc.*, 637 A.2d 339, 345 (R.I. 1994); *Solitro v. Moffatt*, 523 A.2d 858, 861-62 (R.I.1987); *Nagy v. McBurney*, 120 R.I. 925, 392 A.2d 365 (R.I. 1978). Similarly, the standard should be that no suit be brought against a judge absent proof that a criminal proceeding against that judge that the Plaintiff does not have standing and substantial evidence. JWG has both and with discovery will have the necessary information for a Jury Trial.

- uu. This standard is needed because to permit Defendants to escape liability, and to deny JWG restitution and punitive damages when it is possible in practice to confine the abrogation of judicial immunity to a defendants who are actually guilty.
- vv. The Constitutional prohibition against the sale of justice is in our written Constitution and maintenance and preservation of this right is the paramount obligation of this Court.
- ww. Further the application of an immunity doctrine to particular facts may result in the grossest injustice, and when courts announce public policy that works such gross injustice, it undermines public confidence in our courts: The egregious evil that would result to society, to the public, and to every private citizen from announcing and sustaining such a doctrine of absolute privilege of immunity to perjurers before grand juries is so manifest that no further argument would seem necessary.
- xx. The whole duty of courts is to ascertain the facts, the truth, in any given controversy, and then apply the fundamental principles of justice to that truth, and when by any species of jugglery it is claimed that the courts should announce a public policy that works out the greatest injustice, bottomed upon the grossest untruth - well, it is just such hairsplitting distinctions as these that have too frequently undermined, and justly undermined, public confidence in our courts. *Id.*, 12 A.L.R. at 1245-1246.
- yy. The very foundation of our judicial system is that justice is not for sale, and the use of judicial immunity to bar a claim against a judge who in his official capacity is actually guilty of selling justice is a "species of jugglery" that is improper and should not be countenanced by this Court.
- zz. The court misidentifies the conduct in this case that poses the true threat to judicial independence.
- aaa. JWG's civil action against a corrupt judiciary poses no threat to judicial independence. It was and is Defendant's dishonorable conduct that posed a threat, and, for so long as full remedy is not had by an individual harmed by his corrupt acts, Defendant's misconduct continues to pose a threat to judicial independence.
- bbb. The barrier of Defendant immunity is broken down. The barrier that prevents lawsuits against judges will remain impenetrable, unless the judge is actually guilty of soliciting bribes. The Court in Kintz concluded by noting: "[I]t is inexcusable, especially on the part of a court, to extend its powers for the protection of such infamy." *Id.*, 12 A.L.R. at 1247. Similarly, this Court should not extend its powers for the protection of Defendant's infamous acts. **Judicial immunity is not warranted where, as here, a Justice has sold the rights of an individual who was without power to protect his own interests.** This Court has prevented and should continue to prevent improper actions that "have jeopardized JWG's future."

It is a sad time in our Country when an American Citizen is so Bullied by its State and Federal Government with nowhere to go for HELP and JUSTICE.

HOW MUCH IS THE AMERICAN PEOPLE BEING SCAMMED BY THE FBI AND DOJ ET AL

That JWG has a right to Justice without having to purchase it and or have SEX for it. If JWG is denied her right to Justice without SEX and the purchase there ought to be a remedy. The following is the information on the FBI and DOJ what / how they are Stealing from the American people:

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE
Tuesday, May 23, 2017

Department of Justice FY 2018 Budget Request

President's Request Invests in Department of Justice Criminal Justice Priorities, Including Supporting Law Enforcement, Enforcing Immigration Laws and Strengthening our National Security

President Trump's FY 2018 Budget proposal totals \$27.7 billion for the Department of Justice to support federal law enforcement and criminal justice priorities of our state, local and tribal law enforcement partners. The request represents a comprehensive investment in the Justice mission and includes increases in funding for strengthening national security efforts, supporting law enforcement, and enforcing the nation's immigration laws. The request represents a \$1.1 billion decrease over the annualized FY 2017 continuing resolution (CR) level.

"The Department of Justice is dedicated to advancing the safety, the security, and the rights of all Americans – and the FY 2018 budget reflect the President's commitment to keep America safe," said Attorney General Jeff Sessions. "One of the Justice Department's top priorities is to protect the United States from threats to our national security both foreign and domestic. The Department will enforce our laws and put criminals behind bars. We will fight the scourge of drug abuse. And we will support the courageous men and women of law enforcement, as they work day and night to protect us. The President's budget allows the Department to continue to put America first."

The Department of Justice's areas of investment include:

- +\$403 million for the Federal law enforcement operations – the FBI, the U.S. Marshals Service, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Drug Enforcement Administration – securing our nation and implementing a range of efforts to target violent criminals and to combat transnational organized crime groups, especially those trafficking drugs into the U.S.
- +\$61 million for the U.S. Attorneys, including \$26 million for 300 new Assistant U.S. Attorneys (AUSAs) nationwide: 230 AUSAs to prosecute violent criminals and ensure our neighborhoods are freed from their threat, and an additional 70 AUSAs to protect our borders and restore our sovereignty by prosecuting immigration law violations.
- +\$14 million for the Department's litigating components, including \$3.7 million and 40 new positions for the Environment and Natural Resources Division and the Civil Division* and \$6 million for the National Security Division.
- +\$79 million for the Executive Office of Immigration Review (EOIR), including \$75 million for 75 new Immigration Judges and associated positions, boosting the Department's capacity for prompt, efficient, and just hearings for those accused of violations of immigration law.
- \$2.0 billion in discretionary funding, plus an additional \$3.1 billion in mandatory sources, totaling \$5.1 billion for Federal grants to State, local, and tribal law enforcement and victims of crime, to ensure greater safety for law enforcement personnel and the people they serve. Critical programs aimed at protecting the life and safety of state and local law enforcement personnel, including the COPS Hiring Program, Preventing Violence Against Law Enforcement Officer Resilience and Survivability and the Bulletproof Vest Partnership, demonstrate our continuing commitment to supporting state, local, and tribal law enforcement.

For more information, view the FY 2018 Budget and Performance Summary at <https://www.justice.gov/doj/fy-2018-budget-and-performance-summary>.

National Security

National security remains the Department's highest priority. The Department will always maintain its commitment and its responsibility to safeguard American citizens and defend the homeland, while maintaining American values. Threats are constantly evolving, requiring additional investments to mitigate those threats in innovative ways. Terrorist seek to

sabotage critical infrastructure; organized crime syndicates seek to defraud banks and corporations; and spies seek to steal defense and intelligence secrets and intellectual property. Each threatens our nation's economy and security.

The FY 2018 Budget will support the Department in responding to those evolving threats by dedicating \$98.5 million to provide program enhancements for areas of 1) combatting domestic and foreign terrorism; 2) intelligence collection and analysis; 3) cybercrime; and 4) investigative and law enforcement technology.

For more information, view the National Security Fact Sheet at <https://www.justice.gov/doj/fy-2018-budget-fact-sheets>.

Combatting Violent Crime

Violent crime and drug use are becoming more and more commonplace within our communities. While today's overall crime rates are near historic lows, recent trends indicate that those levels are at risk. Updated FBI statistics show that from 2014 to 2015, violent crime has increased more than 3 percent, which is the largest one-year increase in the last 24 years. The murder rate has increased 10 percent, the largest increase since 1968. Compounding this issue is the opioid and illegal drug epidemic. Heroin overdose deaths have more than tripled between 2010 and 2014 while illegal drugs flood across our borders into cities and towns bringing violence and tragedy with them. Protecting the people of this country from violent crime is a high calling of the men and women of the Department of Justice. Today, it has become more important than ever.

The FY 2018 budget requests \$198.5 million in enhancements to reduce violent crime, combat the prescription drug and opioid epidemic, and target Transnational Criminal Organizations. These resources will enable the Department to target and dismantle the worst criminal organizations and drug traffickers that are bringing violence and drugs into our communities. The Department of Justice utilizes a comprehensive set of programs that leverage law enforcement operations, prosecutorial action, and support for state and local governments to combat the violent offenders in our communities.

For more information, view the Combatting Violent Crime Fact Sheet at <https://www.justice.gov/doj/fy-2018-budget-fact-sheets>.

Enforce Immigration Laws

The FY 2018 budget enhances border security and immigration enforcement and improves the Department's ability to conduct more efficient and expedient immigration hearings to combat illegal entry and unlawful presence in the U.S. The Department requests increases of \$144.9 million to enforce the President's January 25 Executive Order, "Border Security and Immigration Enforcement Improvements" and keep pace with the Department of Homeland Security's (DHS) increased immigration enforcement efforts.

For more information, view the Enforce Immigration Laws Fact Sheet at <https://www.justice.gov/doj/fy-2018-budget-fact-sheets>.

State, Local and Tribal Assistance

The Justice Department strongly supports its partnerships with state, local, and tribal entities. The FY 2018 Budget maintains its commitments to state, local, and tribal law enforcement partners without reducing the Department's federal operational role. Simultaneously, efficiencies are identified to ensure that federal resources are being targeted to key Administration priorities, such as combating violent crime. The FY 2018 discretionary and mandatory request for state, local, and tribal law enforcement assistance is \$5.1 billion, including specific discretionary enhancements of \$107.0 million.

For more information, view the State, Local and Tribal Assistance Fact Sheet at <https://www.justice.gov/doj/fy-2018-budget-fact-sheets>.

**This release was revised to correct that the 40 new positions are for the Environment and Natural Resources Division and the Civil Division.*

THE FBI:

Andrew McCabe

Acting Director Federal Bureau of Investigation

Statement Before the House Appropriations Committee, Subcommittee on Commerce, Justice, Science, and Related Agencies

Washington, D.C.

June 21, 2017

FBI Budget Request for Fiscal Year 2018

Good morning Chairman Culberson, Ranking Member Serrano, and members of the subcommittee.

Thank you for allowing me to appear before you today and for your continued support of the FBI during this time of transition. The FBI especially thanks this committee for its support of the men and women of the FBI in the fiscal year (FY) 2017 appropriation. As the committee is aware, FBI personnel are the life-force of the organization—they work tirelessly to combat some of the most complex and serious national security threats and crime problems challenging the nation's intelligence and law enforcement communities. Today, I appear before you on behalf of these men and women who step up to these threats and challenges every day. I am extremely proud of their service and commitment to the FBI's mission and to ensuring the safety and security of communities throughout our nation. On their behalf, I would like to express my appreciation for the support you have given them in the past, ask for your continued support in the future, and pledge to be the best possible stewards of the resources you provide.

I would like to begin by providing a brief overview of the FBI's FY 2018 budget request, and then follow with a short discussion of key threats and challenges that we face, both as a nation and as an organization.

FY 2018 Budget Request Overview

The FY 2018 budget request proposes a total of **\$8.77 billion** in direct budget authority to carry out the FBI's national security, criminal law enforcement, and criminal justice services missions. The request includes a total of \$8.7 billion for salaries and expenses, which will support 33,533 positions (12,484 special agents, 2,950 intelligence analysts, and 18,099 professional staff), and \$51.9 million for construction.

Eight program enhancements totaling \$117.6 million are proposed to meet critical requirements and close gaps in operational capabilities, including \$41.5 million to enhance cyber investigative capabilities, \$19.7 million to mitigate threats from foreign intelligence services and insiders, \$21.6 million for operational technology investments related to the "Going Dark" initiative and other investigative technology, \$6.8 million to combat transnational organized crime, \$3.5 million to support the FBI's participation in the recently stood-up task force on violent crime and gun-related crime reduction and implementation of the recommendations that will flow from the task force, \$8.2 million for physical surveillance capabilities, \$8.9 million to improve the timeliness and accuracy of National Instant Criminal Background Check System (NICS) services and enhance the ability to recruit and retain the specialized NICS examiner workforce, and \$7.4 million for operation and maintenance costs of the new Biometrics Technology Center.

The FY 2018 request also proposes cancellations, offsets, and reductions totaling \$211.5 million, including \$195 million from Criminal Justice Information Services (CJIS) surcharge fee fund balances and a permanent program reduction of \$16.5 million from the Secure Work Environment (SWE) Program, which, if necessary, can draw upon account balances to provide additional SWE space.

The FY 2018 request represents a decrease of \$44.6 million for the salaries and expenses portion of the FBI budget and over 1,600 fewer positions, which is in line with a Department-wide recalibration of personnel levels. The FY 2018 request represents an 83 percent, or \$368 million, decrease from the FBI's construction account reflecting the non-recur of one-time construction project funding.

Key Threats and Challenges⁵

⁵ This committee has been imperative in providing critical resources for the FBI to become what it is today—a threat-focused, intelligence-driven organization. Our nation continues to face a multitude of serious and evolving threats ranging from homegrown violent extremists to hostile foreign intelligence services and operatives; from sophisticated cyber-based attacks to Internet-facilitated sexual exploitation of children; from violent gangs and criminal organizations to public corruption and corporate fraud. Keeping pace with these threats is a significant challenge for the FBI. As an organization, we must be able to stay current with constantly changing and new technologies that make our jobs both easier and harder. Our adversaries—terrorists, foreign intelligence services, and criminals—take advantage of modern technology, including the Internet and social media, to facilitate illegal activities, recruit followers, encourage terrorist attacks and other illicit actions, and to disperse information on building improvised explosive devices and other means to attack the U.S. The breadth of these threats and challenges are as complex as any time in our history. And the consequences of not responding to and countering threats and challenges have never been greater.

The support of this committee in helping the FBI to do its part in facing and thwarting these threats and challenges is greatly appreciated. That support is allowing us to establish strong capabilities and capacities for assessing threats, sharing intelligence, leveraging key technologies, and—in some respects, most importantly—hiring some of the best to serve as special agents, intelligence analysts, and professional staff. We have built and are continuously enhancing a workforce that possesses the skills and knowledge to deal with the complex threats and challenges we face today—and tomorrow. We are building a leadership cadre that views change and transformation as a positive tool for keeping the FBI focused on the key threats facing our nation. Today's FBI is a national security and law enforcement organization that uses, collects, and shares intelligence in everything we do. Each FBI employee understands that to defeat the key threats facing our nation, we must constantly strive to be more efficient and more effective. Just as our adversaries continue to evolve,

National Security - Counterterrorism⁶

Counterintelligence.⁷

Cyber Threats

Going Dark⁸

Criminal Threats⁹¹⁰

so, too, must the FBI. We live in a time of acute and persistent terrorist and criminal threats to our national security, our economy, and our communities. These diverse threats underscore the complexity and breadth of the FBI's mission: to protect the American people and uphold the Constitution of the United States.

⁶ Preventing terrorist attacks remains the FBI's top priority. The terrorist threat against the United States remains persistent and acute.

From a threat perspective, we are concerned with three areas in particular: (1) those who are inspired by terrorist propaganda and feel empowered to act out in support; (2) those who are enabled to act after gaining inspiration from extremist propaganda and communicating with members of foreign terrorist organizations who provide guidance on operational planning or targets; and (3) those who are directed by members of foreign terrorist organizations to commit specific, directed acts in support of the group's ideology or cause. Prospective terrorists can fall into any of the above categories or span the spectrum, but in the end the result is the same—innocent men, women, and children killed and families, friends, and whole communities left to struggle in the aftermath.

In this endeavor, our main focus is the so-called Islamic State—the group we refer to as ISIS. ISIS has proven relentless in its campaign of violence and has aggressively promoted its hateful message, attracting like-minded extremists, to include Westerners. Though many foreign terrorist organizations use various digital communication platforms to reach individuals they believe may be susceptible and sympathetic to extremist messages, no group has been as successful at drawing people into its perverse ideology as ISIS. ISIS' extensive reach through the Internet and social media is most concerning as the group continues to aggressively employ the latest technology as part of its nefarious strategy. ISIS' messaging effectively blends both officially endorsed and informal propaganda to recruit followers via numerous digital communication platforms. Due to many technological advances, the message of radicalization spreads faster than we imagined just a few years ago. Like never before, social media allows foreign terrorists to reach into our local communities—for the purpose of targeting our citizens to radicalize and recruit them.

As the threat to harm the United States and U.S. interests evolves, we must adapt and confront these challenges, relying heavily on the strength of our federal, state, local, and international partnerships. The FBI is using all lawful investigative techniques and methods to combat these terrorist threats to the United States, including both physical and electronic surveillance. Physical surveillance is a critical and essential tool in detecting, disrupting, and preventing acts of terrorism, as well as gathering intelligence on those who are capable of doing harm to the nation. To this end, the FY 2018 request includes 78 positions and \$8.2 million to address the increasing demand for physical surveillance support.

Along with our domestic and foreign partners, we are collecting and analyzing intelligence concerning the ongoing threat posed by foreign terrorist organizations and homegrown violent extremists. We continue to encourage information sharing, which is evidenced through our partnerships with many federal, state, local, and tribal agencies assigned to more than 180 Joint Terrorism Task Forces around the country. Be assured, the FBI continues to strive to work and share information more efficiently, and to utilize the full suite of lawful methods available to help stay ahead of threats to the homeland.

⁷ The nation faces a continuing threat, both traditional and asymmetric, from hostile foreign intelligence agencies. Traditional espionage, often characterized by career foreign intelligence officers acting as diplomats or ordinary citizens, and asymmetric espionage, typically carried out by students, researchers, or businesspeople operating front companies, is prevalent. Foreign intelligence services not only seek our nation's state and military secrets, but they also target commercial trade secrets, research and development, and intellectual property, as well as insider information from the federal government, U.S. corporations, and American universities. Foreign intelligence services continue to employ more creative and more sophisticated methods to steal innovative technology, critical research and development data, and intellectual property, in an effort to erode America's economic leading edge. These illicit activities pose a significant threat to national security and continue to be a priority and focus of the FBI.

A particular focus of our counterintelligence efforts are aimed at the growing scope of the insider threat—that is, when trusted employees and contractors use their legitimate access to steal secrets for personal benefit or to benefit another company or country. This threat has been exacerbated in recent years as businesses have become more global and increasingly exposed to foreign intelligence organizations.

To combat this threat, the FBI has undertaken several initiatives. We developed and deployed the Hybrid Threat Center (HTC) to support Department of Commerce Entity List Investigations. The HTC is the first of its kind in the FBI; it has been well-received in the U.S. Intelligence Community and the private sector.

Over the past year, we have strengthened collaboration, coordination, and interaction between our Counterintelligence and Cyber Divisions in an effort to more effectively identify, pursue, and defeat hostile intelligence services using cyber means to penetrate or disrupt U.S. government entities or economic interests.

Finally, we have initiated a media campaign to increase awareness of the threat of economic espionage. As part of this initiative, we have made a threat awareness video available on our public website, which has been shown thousands of times to raise awareness and generate referrals from the private sector.

The FY 2018 request includes 93 positions and \$19.7 million to combat these foreign intelligence threats.

⁸ Virtually every national security threat and crime problem the FBI faces is cyber-based or facilitated. We face sophisticated cyber threats from state-sponsored hackers, hackers for hire, organized cyber syndicates, and terrorists. On a daily basis, cyber-based actors seek our state secrets, our trade secrets, our technology, and our ideas—things of incredible value to all of us and of great importance to the conduct of our government business and our national security. They seek to strike our critical infrastructure and to harm our economy.

FBI agents, analysts, and computer scientists are using technical capabilities and traditional investigative techniques—such as sources, court-authorized electronic surveillance, physical surveillance, and forensics—to fight the full range of cyber threats. As we continue to see an increase in the scale and scope of reporting of malicious cyber activity that can be measured by the amount of corporate data stolen or deleted, personally identifiable information compromised, or remediation costs incurred by U.S. victims, the FBI has actively coordinated with our private and public partners to pierce the veil of anonymity surrounding cyber-based crimes.

As the committed is well aware, the frequency and impact of cyber-attacks on our nation's private sector and government networks have increased dramatically in the past decade and are expected to continue to grow. We need to be able to move from reacting to cyber-attacks after the fact to operationally preventing such attacks. That is a significant challenge, but one we embrace.

The FBI is engaged in a myriad of efforts to combat cyber threats, from efforts focused on threat identification and sharing inside and outside of government, to our internal emphasis on developing and retaining new talent and changing the way we operate to evolve with the cyber threat. The FY 2018 budget request includes an enhancement of 36 positions and \$41.5 million to support these efforts.

Violent Crime¹¹

Transnational Organized Crime¹²

Key Cross-Cutting Capabilities and Capacities¹³

Operational and Information Technology¹⁴

⁹ We face many criminal threats, from complex white-collar fraud in the financial, health care, and housing sectors to transnational and regional organized criminal enterprises to violent crime and public corruption. Criminal organizations—domestic and international—and individual criminal activity represent a significant threat to our security and safety in communities across the nation.

A key tenet of protecting the nation from those who wish to do us harm is the National Instant Criminal Background Check System, or NICS. The goal of NICS is to ensure that guns don't fall into the wrong hands and also ensures the timely transfer of firearms to eligible gun buyers. Mandated by the Brady Handgun Violence Prevention Act of 1993 and launched by the FBI on November 30, 1998, NICS is used by Federal Firearms Licensees (FFLs) to instantly determine whether a prospective buyer is eligible to buy firearms. NICS receives information from FFLs and checks to ensure that applicants do not have a criminal record or aren't otherwise prohibited and therefore ineligible to purchase a firearm. In the first complete month of operation in 1998, a total of 892,840 firearm background checks were processed; in 2016, approximately 2.3 million checks were processed per month. In 2016, NICS processed 27.5 million checks—an increase of 19 percent over 2015. While most checks are completed by electronic searches of the NICS database within minutes, a small number of checks require examiners to review records and resolve missing or incomplete information before an application can be approved or rejected. Ensuring the timely processing of these inquiries is important to ensure law abiding citizens can exercise their right to purchase a firearm and to protect communities from prohibited and therefore ineligible individuals attempting to acquire a firearm. The FBI is currently processing a record number of checks, averaging over 2.1 million a month during the first five months of 2017. The FY 2018 request includes 85 positions and \$8.9 million to annualize the salaries of examiners and contractors brought on in FY 2017 to process the increase in NICS checks, enhance the responsiveness of the NICS program, and enhance our ability to recruit and retain the specialized NICS examiner workforce.

¹⁰ The rapid pace of advances in mobile and other communication technologies continue to present a significant challenge to conducting court-ordered electronic surveillance of criminals and terrorists. There is a real and growing gap between law enforcement's legal authority to access digital information and its technical ability to do so. The FBI refers to this growing challenge as "Going Dark," and it affects the spectrum of our work. In the counterterrorism context, for instance, our agents and analysts are increasingly finding that communications and contacts between groups like ISIS and potential recruits occur in encrypted private messaging platforms. Some of our criminal investigators face the challenge of identifying online pedophiles who hide their crimes and identities behind layers of anonymizing technologies, or drug traffickers who use virtual currencies to obscure their transactions. In other investigations, ranging from white-collar crime to gang activity, FBI agents with court-ordered search warrants seize and attempt to search cellular phones, tablets, and other electronic devices, but are unable to access them due to technical barriers.

In just the first half of this fiscal year, the FBI was unable to access the content of more than 3,000 mobile devices submitted for analysis by FBI field agents and our law enforcement partners using appropriate and available technical tools, even though there was legal authority to do so. This figure represents nearly half of all the mobile devices the FBI attempted to access in that timeframe.

Where at all possible, our agents develop investigative workarounds on a case-by-case basis, including by using physical world techniques and examining non-content sources of digital information (such as metadata). As an organization, the FBI also invests in alternative methods of lawful engineered access. Ultimately, these efforts, while significant, have severe constraints. Non-content information, such as metadata, is often simply not sufficient to meet the rigorous constitutional burden to prove crimes beyond a reasonable doubt. Developing alternative technical methods is typically a time-consuming, expensive, and uncertain process. Even when possible, such methods are difficult to scale across investigations—and jurisdictions—and may be perishable due to a short technical lifecycle or as a consequence of disclosure through legal proceedings.

Some observers have conceived of this challenge as a trade-off between privacy and security. In our view, the demanding requirements to obtain legal authority to access data—such as by applying to a court for a warrant or a wiretap—necessarily already account for both privacy and security. The FBI is actively engaged with relevant stakeholders, including companies providing technological services, to educate them on the corrosive effects of the Going Dark challenge on both public safety and the rule of law. The FY 2018 request includes 80 positions and \$21.6 million for these efforts and to improve investigative technology.

¹¹ Violent crimes and gang activities exact a high toll on individuals and communities. Many of today's gangs are sophisticated and well organized and use violence to control neighborhoods and boost their illegal money-making activities, which include robbery, drug and gun trafficking, fraud, extortion, and prostitution rings. These gangs do not limit their illegal activities to single jurisdictions or communities. The FBI is able to work across such lines, which is vital to the fight against violent crime in big cities and small towns across the nation. Every day, FBI special agents work in partnership with federal, state, local, and tribal officers and deputies on joint task forces and individual investigations.

FBI joint task forces—Violent Crime Safe Streets, Violent Gang Safe Streets, and Safe Trails—focus on identifying and targeting major groups operating as criminal enterprises. Much of the FBI criminal intelligence is derived from our state, local, and tribal law enforcement partners, who know their communities inside and out. Joint task forces benefit from FBI surveillance assets, and our sources track these gangs to identify emerging trends. Through these multi-subject and multi-jurisdictional investigations, the FBI concentrates its efforts on high-level groups engaged in patterns of racketeering. This investigative model enables us to target senior gang leadership and to develop enterprise-based prosecutions.

In March of this year, the attorney general issued a memorandum directing federal prosecutors to focus on violent crime offenders. To support this effort, he also established a task force on crime reduction and public safety composed of Department of Justice (the Department) representatives, including all four Department law enforcement agencies. These representatives are being tasked with making recommendations to the attorney general on ways in which the federal government can most effectively combat violent crime. The FY 2018 request includes 33 positions and \$3.4 million to support the FBI's participation and assist with the implementation of recommendations from this task force.

¹² More than a decade ago, organized crime was characterized by hierarchical organizations, or families, that exerted influence over criminal activities in neighborhoods, cities, or states. But organized crime has changed dramatically. Today, international criminal enterprises run multi-national, multi-billion-dollar schemes from start to finish. Modern-day criminal enterprises are flat, fluid networks with global reach. While still engaged in many of the "traditional" organized crime activities of loan-sharking, extortion, and murder, modern criminal enterprises are targeting stock market fraud and manipulation, cyber-facilitated bank fraud and embezzlement, identity theft, human trafficking, and other illegal activities. Preventing and combating transnational organized crime demands a concentrated effort by the FBI and federal, state, local, tribal, and international partners.

While the FBI continues to share intelligence about criminal groups with our partners and combines resources and expertise to gain a full understanding of each group, the threat of transnational crime remains a significant and growing threat to national and international security with implications for public safety, public health, democratic institutions, and economic stability across the globe. The FY 2018 budget request includes 65 positions and \$6.8 million to work towards disrupting—with the end goal of dismantling—the most culpable and high ranking transnational organized crime syndicates.

¹³ I would like to briefly highlight some key cross-cutting capabilities and capacities that are critical to our efforts in each of the threat and crime problems described

Conclusion¹⁵

ALL THIS MONEY and I do not know “1” ONE American Citizen on MAIN STREET that has felt they have gotten JUSTICE and or any help from any of these “BAD ACTORS” who we pay – Instead they we are paying them to CREAT “FAKE” CASES and or to “COVER UP” for the Bad Actors in the Judiciary, Government and with Elected Officials.

They all Need to be held accountable for their actions as any other American Citizen would be.

RELIEF REQUESTED

WHEREFORE Plaintiffs pray for judgment as follows: An award of compensatory, punitive, exemplary, and enhanced damages and interest thereon according to proof at trial; That Plaintiff will be able to show a loss of \$150 Million or more from the Direct Actions of the Defendants.

An award of reasonable costs and expenses incurred in this action, including counsel fees and expert fees as allowable under the Title 18, 28, and 42 sections asserted;

Declaratory, Injunctive, and Prospective Relief as requested including injunctive remedies provided under 42 U.S.C. §§ 1983, 1985, 1986, 1988; and 18 U.S.C. §§ 1964 (a), (c), and (d); 28 USC 2201-2202; 15 U.S.C. § 1125, and related federal statutes;

The Basic Liberty of Due Process has been violated. The basic liberty that our Flag stands for and here is where the standard of Liberty is set for the rest of the World. It is under the Oath that each Judge has taken that this heavy burden

¹⁴ As criminal and terrorist threats become more diverse and dangerous, the role of technology becomes increasingly important to our efforts. We are using technology to improve the way we collect, analyze, and share information. We have seen significant improvement in capabilities and capacities over the past decade, but keeping pace with technology remains a key concern for the future.

For example, the new Biometrics Technology Center came online recently. This shared facility will enhance collaboration between the FBI's Biometrics Center of Excellence and the Department of Defense's (DOD) Biometrics Fusion Center. Together, these centers will advance centralized biometric storage, analysis, and sharing with federal, state, and local law enforcement partners, DOD, and others. The FY 2018 budget request includes \$7.4 million to operate and maintain the FBI's share of this facility.

FBI special agents and intelligence analysts need the best technological tools available to be responsive to the advanced and evolving threats that face our nation. Enterprise information technology must be designed so that it provides information to operational employees rather than forcing employees to conform to the tools available. IT equipment must be reliable and accessible, thus decreasing the time between information collection and dissemination.

¹⁵ In closing, the FBI cannot be content to just work what is directly in front of us. We must also be able to look beyond the horizon and build toward the future so that we are prepared to deal with the threats we will face at home and abroad and understand how those threats may be connected. Toward that end, intelligence is gathered, consistent with our authorities, to help us understand and prioritize identified threats and to determine where there are gaps. We then try to fill those gaps and continue to learn as much as we can about the threats we are addressing and those we may need to address. We do this for national security and criminal threats, on both a national and local field office level. We then compare the national and local perspectives to develop a threat prioritization ranking for each of the FBI's 56 field offices. By creating this ranking, we strive to actively pursue our highest threats where they are occurring. This gives us a better assessment of what the dangers are, what's being done about them, and what we should spend time and valuable resources on.

Being expected to respond to a wide range of complex and ever-changing threats and crime problems is not new to the FBI. Our success in meeting these challenges is, however, directly tied to the resources provided to the FBI. The resources the committee provides each year are critical for the FBI's ability to address existing and emerging national security and criminal threats.

Chairman Culberson, Ranking Member Serrano, and members of the subcommittee, I would like to close by thanking you for this opportunity to discuss the FBI's FY 2018 budget request and the key threats and challenges that we are facing, both as a nation and as an organization. We are grateful for the leadership that you and this subcommittee have provided to the FBI. We would not possess the capabilities and capacities to deal with these threats and challenges today without your support. Your willingness to invest in and support our workforce and our physical and technical infrastructure allow the men and women of the FBI to make a difference every day in communities large and small throughout our nation and around the world. We thank you for that support. I look forward to answering any questions you may have.

lies on your shoulders to protect the Rights of each and every American Citizen. That the Appearance of Justice is just as important as Justice itself. That our young men and women are in harm's way in many countries fighting for rights Janice has been raped of by the defendants. That as Americans if this is not taken very serious we will end up as Nazi Germany did. That jailing a Jewish person and taking away all there fundamental rights are how it started. What has happened here to Janice for being Catholic and poor is no different than how it started in Germany.

The result of this unusual absence of checks and balances has become a "perfect storm" of unchecked power, absence of meaningful oversight, and financially-motivated professionals who operate the system—lawyers, city/ county-level bureaucrats, none of whom are open to input from litigants. Litigants encounter the system as a revolving door process with short term goals. There is no longer term litigant-side input to protect the legal and ethical integrity of the processes which deployed and policed by the system operators themselves. The resulting exploitation ruins the American Citizen and their families while enriching attorneys, governments, elected officials and judges who administer the processes they, and they alone, created.

That the acts and actions were knowledgeable, willful acts malicious, violent, oppressive, fraudulent, wanton, or grossly reckless were done with an evil attempt to silence me first from collecting money and property (Real Estate) that is and was rightfully mine, from Divorce Lawyer Ilona Ely Freedman Grenadier Heckman active member of the Old Boys Network, then to silence me from exposing what was being done to me so that Senator Mark Warner could and would be re-elected. The acts and actions began on February 14, 1986, and became obvious to the inclusion of those below in September of 2007 and continue today. That I – Janice have a claim for these criminal and civil acts damages due me are Exemplary / Punitive, Compensatory, Consequential, Normal, Treble, Liquidated and Special Damages.

JURY TRIAL DEMANDED

Plaintiff incorporates by reference the allegations of above and all paragraphs

Plaintiff demands a Jury Trial, pursuant to the Seventh Amendment to the United States Constitution. Along with the hearing to be filmed by a Camera man of the choosing of Plaintiff Janice.

I, Janice Wolk Grenadier, am the Plaintiff in this action. I hereby declare under penalty of perjury that each of said allegations is true and correct.

Date: May 16, 2018

Respectfully submitted,

/S/

Janice Wolk Grenadier
15 West Spring Street
Alexandria, Virginia 22301
Telephone (202) 368-7178
Email jwgrenadier@gmail.com

CERTIFICATION: I declare under penalty and perjury: That No attorney has prepared or assisted in the preparation of this document. Janice Wolk Grenadier Name of Pro Se Party.

May 16, 2018

CERTIFICATE OF SERVICE

That JWG will serve by third party, USPS, email and any other service agreed upon with the Defendants to the appropriate person to take service with the Counter Claim - Cross Complaint filed on May 10, 2018.

JUDGE HENRY E. HUDSON, US District Court Eastern District of Virginia (Richmond) , 701 East Broad Street Richmond, VA 23219

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VIRGINIA STATE BAR (VSB) 1111 Main Street Suite 700, Richmond VA 23219

JOHN and or Jane DOE 1-50

May 16, 2018
Janice Wolk Grenadier